

DRAFT DECISION NOTICE
HIGH KNOB VIEWSHED AND HABITAT IMPROVEMENT PROJECT
U.S. FOREST SERVICE
CLINCH RANGER DISTRICT
GEORGE WASHINGTON AND JEFFERSON NATIONAL FORESTS
WISE COUNTY, VIRGINIA

INTRODUCTION

This document is the Draft Decision Notice for the High Knob Viewshed and Habitat Improvement Project (High Knob Project). It explains the rationale for the decision. For a more thorough description of the analyses and the project Finding of No Significant Impact (FONSI) statement, interested parties should refer to the Environmental Assessment (EA) and the various specialist reports in the project record. The EA and reports can be viewed at the Clinch Ranger District at 1700 Park Avenue SW, Norton, VA, or online at <https://www.fs.usda.gov/project/?project=55877>.

DECISION

Based upon my review of the High Knob Project Environmental Assessment (EA), I have decided to implement the Proposed Action as described in the final EA. This will address the need to expand suitable pollinator habitat acreage adjacent to the High Knob Observation Tower and to maintain and enhance the scenic view.

DECISION RATIONALE

I have chosen the Proposed Action because it moves the project area toward attaining forest-wide goals and objectives identified in the *Revised Land and Resource Management Plan Jefferson National Forest* (hereinafter referred to as the Forest Plan).

By moving forward with the planned activities, pollinator habitat that is critical for bees and other wildlife and foraging area for migrating monarch butterflies will increase by approximately ten acres. The planned project activities (e.g., mechanized timber harvest, basal herbicide application) are similar to past management actions successfully conducted on the Eastern Divide Ranger District.

In reaching my decision, I relied on an interdisciplinary team comprised of Forest Service resource specialists to analyze the effects of the alternatives described in the EA.

After reviewing the specialist reports, EA, and associated documents in the project record, I have determined that Proposed Action as described in the final EA meets the goals of the Forest Plan, will address the purpose and need for the project, and considers concerns raised by those who commented on the EA. Inaction would not address the purpose and need for the project.

OTHER ALTERNATIVES CONSIDERED

We are required by the National Environmental Policy Act (NEPA, Section 102(2) (E)) to explore and evaluate reasonable alternatives to the proposed action when there are “*unresolved conflicts concerning alternative uses of natural resources*”. When, such as in this case, there are no unresolved conflicts concerning alternative uses of available resources, the EA need only analyze the proposed action and proceed without consideration of additional alternatives (36 CFR 220.7(b) (2) (i)).

ALTERNATIVES ELIMINATED FROM DETAILED STUDY

Other alternatives were considered but not proposed for detailed study because they did not meet the purpose and need of the project or were not feasible due to existing conditions in the project area. A list of these alternatives, along with the rationale for their exclusion, is included in the *Alternatives* section of the EA.

PUBLIC INVOLVEMENT

The High Knob Project first appeared on Clinch Ranger District’s quarterly Schedule of Proposed Actions (SOPA) in July of 2019 as the High Knob Observation Tower Pollinator Habitat Expansion. The project name was updated to the High Knob Viewshed and Habitat Improvement Project with the release of the draft Environmental Assessment. The initial proposal was to implement the treatment under a Categorical Exclusion for wildlife habitat improvement activities.

Seven letters were received in response to the initial 30-day scoping period. The comments prompted an internal review that determined there was a need to consider chemical suppression to achieve the desired outcomes. It was concluded that an Environmental Assessment should be performed to analyze the expected effects from a proposed action that includes the use of herbicide.

The comment period for the Draft EA ran from December 6th, 2019 through January 6th, 2020. Four comment letters from interested parties; responses to relevant comments have been compiled in the High Knob Response to Comments document posted on the project website (<https://www.fs.usda.gov/project/?project=55877>).

I carefully reviewed and weighed the comments received during both scoping and the notice and comment period for the EA and used them to guide the development of my decision.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

National forest management is guided by various laws, regulations, and policies that provide the framework for all levels of planning. This includes national and regional guides, forest plans, and site-specific planning documents such as this Environmental Assessment. Higher-level documents are incorporated by reference and can be obtained from Forest Service offices. Relevant laws, regulations, and policies, in addition to forest plan direction, are also referenced in individual specialist reports that are part of the project record.

NATIONAL FOREST MANAGEMENT ACT (NFMA)

This project is consistent with the National Forest Management Act (NFMA) of 1976. This project does not propose any commitments of resources that are irretrievable or irreversible. No timber harvest is planned to occur on lands not suited for timber production. Timber harvest is planned to occur only on lands where soil, slope, or other watershed conditions will not be irreversibly damaged. Temporary roads constructed as part of this project will be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources. Temporary roads constructed in connection with this project will be designed with the goal of closing and revegetating them following completion of the activities for which they were constructed and any associated administrative use.

This decision to authorize the implementation of vegetation treatments on National Forest System lands on the Jefferson National Forest is consistent with the intent of the Forest Plan's long term goals and objectives. The project was designed in conformance with Forest Plan standards and incorporates appropriate Forest Plan guidance.

ROADLESS AREA CONSERVATION RULE

The High Knob Project does not overlap any Inventoried Roadless Areas identified under the 2001 Roadless Area Conservation Rule.

CLEAN WATER ACT (CWA)

Integration of resource protection measures and best management practices into the proposed action is intended to protect species and age class diversity in riparian areas; maintain riparian species in streamside management zones; and leave sufficient vegetation to provide bank stabilization, shade, and future sources of large wood to ensure channel maintenance. Further, best management practices call for treatments to avoid, minimize, or mitigate adverse effects to riparian resources. Implementation of these measures will ensure protection of aquatic resources and water quality during and after project implementation. Implementation of the proposed action is not expected to substantially alter the water quality within or adjacent to the High Knob project area. Therefore, I determined that the proposed action is in compliance with the requirements of the Clean Water Act.

MIGRATORY BIRD TREATY ACT (MBTA) AND EXECUTIVE ORDER 13186

The proposed action would provide suitable habitat for some species of migratory birds and is in compliance with the Migratory Bird Treaty Act.

FLOODPLAIN MANAGEMENT (E.O. 11988), PROTECTION OF WETLANDS (E.O. 11990), MUNICIPAL WATERSHEDS

Integration of resource protection measures and best management practices for riparian reserves will ensure compliance with EO 11988 Floodplain Management (1988, 1977), and EO 11990 Wetland

Protection (11990, 1977). Refer to the section above (CWA) and FONSI Intensity factor #3 found in the EA.

ENVIRONMENTAL JUSTICE (E.O. 12898)

The proposed action is consistent with Executive Order 12898. This project will not have any disparate effects on minority populations or low-income populations. This project will not have human health effects on any group.

CONFLICTS WITH PLANS, POLICIES, OR OTHER JURISDICTIONS

The project Interdisciplinary Team has cooperated with State and other local agencies to the fullest extent possible to reduce duplication between NEPA and State and local requirements. State, local, and Federal laws were reviewed and this project has no inconsistencies with approved State or local plan and laws.

A FONSI and EA were considered. I determined these actions will not have a significant effect on the quality of the human environment and an Environmental Impact Statement (EIS) will not be prepared.

ADMINISTRATIVE REVIEW OPPORTUNITIES

This project is subject to a pre-decisional objection process as described in 36 CFR 218. The objection period will end 45 calendar days following the publication of a legal notice in *The Coalfield Progress*. This notice was published on March 2nd, 2020. The decision implements the Jefferson National Forest Land and Resource Management Plan and does not fall under the Healthy Forest Restoration Act. Requirements for filing an objection may be found on the project's web page at <https://www.fs.usda.gov/project/?project=55877>.

IMPLEMENTATION DATE

This project may be implemented any time following the date the final decision is signed. Implementation will occur over several years as funding and resources allow.

CONTACT

For additional information concerning this decision, contact: Christopher Brown, Zone NEPA Planner, christopherjbrown@fs.fed.us (540) 552-4641; or Michelle Davalos, District Ranger, michelle.davalos@usda.gov (276) 679-8370.

- DRAFT

Michelle W. Davalos
Clinch District Ranger

Date